IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

WP(C).No. 8503 of 2007(K)

PETITIONER:

P.K.HASHIM HAJI, AGED 71 YEARS,
CHAIRMAN, COCHIN ISLAMIC WELFARE TRUST(REGD)
AND MUTHAVALLI OF MADEENA MASJID, PULLEPADY,
KOCHI - 35.

BY ADV. SRI.T.U.ZIYAD

RESPONDENTS:

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1. THE DEPUTY INSPECTOR GENERAL OF POLICE,
ERNAKULAM.

2. THE CITY COMMISSIONER OF POLICE,
ERNAKULAM.

3. THE SUB-INSPECTOR OF POLICE,
CENTRAL POLICE STATION, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

STATEMENT FILED BY THE RESPONDENT/INVESTIGATING OFFICER. IT IS NOW EVIDENT THAT CRIMES HAVE BEEN REGISTERED AND INVESTIGATION IS IN PROGRESS. THE LEARNED COUNSEL FOR THE PETITIONER IN THESE CIRCUMSTANCES DOES NOT PRESS FOR ANY FURTHER RELIEF IN THIS WRIT PETITION.

THIS WRIT PETITION IS IN THESE CIRCUMSTANCES DISMISSED, BUT WITH LIBERTY TO THE PETITIONER TO APPROACH THIS COURT AGAIN AT A LATER STAGE, IF PROPER INVESTIGATION IS NOT CONDUCTED.

13.4.2007 SD/- R.BASANT, JUDGE

/TRUE COPY/

P.A. TO JUDGE

R. BASANT, J.

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W.P.C.No. 8503 of 2007 K

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Dated this the 23rd day of March, 2007

O R D E R

The grievance of the petitioner is that no action has been taken on Exts.P1 and P2 complaints filed by him before the Commissioner of Police. The petitioner has a further grievance that copy of the F.I.R. registered in Crime No.377/07 has not been furnished to the petitioner.

2. The learned Prosecutor, on instructions, submits that on the basis of Ext.P1 complaint crime 454/06 under Sections 454 and 380 I.P.C. has been registered at the Central Police Station, Ernakulam. He further submits that the police is willing to furnish the copy of the F.I.R. in Crime 377/07 to the petitioner.

3. The learned counsel for the petitioner submits that the petitioner is still not satisfied as nothing has been explained about the inaction on Ext.P2. I am also not satisfied because it is not explained satisfactorily why in spite of Section 154(2) Cr.P.C. copy of the F.I.R. has not been furnished to the informant in Crime No.377/07. The learned Prosecutor shall get a statement filed by the

concerned respondents on these aspects. What has been taken on Ext.P2? If no action has been taken, why it has not been taken? Why the copy of the F.I.R. has not been furnished to the petitioner, in spite of the peremptory mandate of Section 154(2) Cr.P.C. The statement shall be filed explaining all these matters before 13.4.2007. Call on 13.4.2007.

4. Hand over the order to the learned Prosecutor.

(R. BASANT)
Judge

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